

**VETERANS & SENIORS COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

Minutes

A regular meeting of the Veterans & Seniors Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Auditorium of the William H. Rogers Legislature Building in Smithtown, New York, on **August 14, 2003.**

Members Present:

Legislator William Lindsay - Chairman
Legislator Cameron Alden - Vice-Chair
Legislator Andrew Crecca
Legislator Lynne Nowick

Also In Attendance:

Paul Sabatino - Counsel to the Legislature
Art Lozeau - Director of Veterans Affairs
Holly Rhodes-Teague - Director of Office of the Aging
Stephen McCarthy - Federation of Organizations
Debrah Weiner - RSVP
Joe Muncey - BRO
Terry Pearsall - Aide to Legislator Lindsay
All other interested parties

Minutes Taken By:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 10:40 A.M.*)

CHAIRMAN LINDSAY:

Okay. We're going to get started the Veterans and Seniors Committee.
Cameron -- would Legislator Alden please say the Pledge.

SALUTATION

CHAIRMAN LINDSAY:

Here's Legislator Crecca just as we're starting.

LEG. CRECCA:

Tardy as usual.

CHAIRMAN LINDSAY:

Okay. We have two cards for public comment. Stephen McCarthy. Come on forward. You can either stand at the podium or sit at the table.

MR. MCCARTHY:

Good morning, Members of the Veterans and Seniors Committee of the Suffolk County Legislature. My name is Stephen McCarthy, and I'm the Chief Financial Officer of Federation of Organizations for the New York State Mentally disabled. Our principal offices are located at 1 Farmingdale Road, West Babylon. We ask that the committee members approve the resolution to transfer and appropriate living wage contingency funds to our respite care program. Federation of Organizations is primarily a grant driven organization. We are unable to move funds between programs to cover funding shortfalls in any manner. The living wage contingency funds are needed to cover on increase in labor costs of approximately 40% due to the required living wage and the paid time off provisions of the bill.

Although not part of our request for contingency funds, this program also received a ten percent cut in funding for the 2003 calender year. This will be absorbed by an increase to the fee subsidy charged and by the Federation of Organizations. Our respite program serves 50 to 60 families annually by providing respite care to individual requiring around the clock care. The families we serve are providing care for family members as they are unable to afford private services. As needed, we provide respite care workers to give the primary care givers a respite from these duties. The service we provide is funded by the Suffolk County Office of Aging and a fee subsidy paid by the recipients. The fee varies based on the ability to pay. We provide 6200 hours of respite care annually. We have raised the fee slightly in light of the funding cuts but hesitate to raise the fee too much to prevent it from approaching the fee of private respite services and prevent these families from being able to afford these necessary services.

After review of the Living Wage Law, we determined that Federation was not eligible for any of the exemptions provided to not-for-profit agencies. On January 1st, 2003 as required, we began paying the part time workers of the respite program the required living wage. Federation of Organizations recognizes the importance of this very important program, and despite the lack of guaranteed funding for the full cost of the program, continues to operate the program as it has

since 1984. At the direction of Legislator David Bishop, we contacted the Department of Labor to obtain living wage contingency funds.

Thanks to the assistance of Holly Rhodes-Teague, Director of Suffolk County Office of Aging and her staff member Mary-Valerie Kempinski, we were able to provide information and documentation to the Department of Labor demonstrating our need.

We now ask that the Members the Veterans and Seniors Committee approve this resolution critical to the continuation of the respite care program. On behalf of Federation of Organization and, it's Board of Directors, respite staff and recipients of respite services, I thank you for your time and attention to this most important matter.

CHAIRMAN LINDSAY:

Mr. McCarthy, the \$22,000 that you are asking be transferred from the contingency money, will that make you whole as far as the compliance, the increases you had to pay in salaries to comply with living wage?

MR. MCCARTHY:

Yes.

CHAIRMAN LINDSAY:

It will. Okay.

MR. MCCARTHY:

The only thing is we didn't factor in anything regarding the ten percent, because as far as I understand, the contingency fund --

CHAIRMAN LINDSAY:

Ten percent?

MR. MCCARTHY:

We had a cut to the regular funding.

CHAIRMAN LINDSAY:

Yeah, but that --

MR. MCCARTHY:

That doesn't apply to this. We didn't ask for any money for that.

CHAIRMAN LINDSAY:

Okay. Thank you very much for coming down. Any of the other committee members have any questions? No? Okay. Thank you. We have one other card. I'm sorry, I'm having trouble. Ms. Weiners? Weiner.

MS. WEINER:

Good morning, Legislators Lindsay, Alden, Nowick and Crecca. Thank you for allowing me this moment. I did come down to the last General Meeting of the full Legislature, and I did make a presentation. I was a little bit to long winded, and so I never did get to the last page. What I'm coming down today for is to respectfully ask you if you have considered putting a resolution in to restore our 13,000 and some odd

dollars. And I assume that you all had that last page, but if you don't, this is where my pseudocodes and the contracts are and if you need another --

3

LEG. CRECCA:

Yeah, I was going to say, if you have extra copies with you today, I would ask -- excuse me, Mr. Chairman.

CHAIRMAN LINDSAY:

That's quite all right.

MS. WEINER:

The reason it becomes so important for me to know is that I need to know what kind of budget I'm going to be working with until the end of year and perhaps I might be able to restore some hours of the some of the staff whose hours I had to cut.

LEG. CRECCA:

What's the bottom line of -- Mr. Chairman, if I may.

CHAIRMAN LINDSAY:

Go ahead.

LEG. CRECCA:

What's the bottom line of the minimal amount you need.

MS. WEINER:

I believe it's \$13,158 overall.

LEG. CRECCA:

In other words, that's if I add the three different --

MS. WEINER:

Contracts back, right, yeah.

LEG. CRECCA:

Right. Okay. That would be these three psuedocodes you provided us with, correct?

MS. WEINER:

Yes.

LEG. CRECCA:

Mr. Chairman, with your permission, I'd like to talk to Budget Review about this and see if there is an appropriate offset or not.

CHAIRMAN LINDSAY:

By all means. I don't object to that. The problem is more logistical at this stage in the calender. If we were to find a proper offset, by the time you sponsored the legislation, got it passed and implemented, we'd be almost into the next budget year.

MS. WEINER:

What worries me is that if by the budget next year, there is another -- there's another reduction, it's going to be reduced from the reduction that we're already had. And each year as it becomes harder and harder to meet bills, it could become not a 10%, 20%, but it could become a 30 or 40% reduction overall.

4

CHAIRMAN LINDSAY:

We're going to see the '04 budget or start the process in about a month. You know, we'll see the County Executive proposal middle of September, about the middle of September to start the 2004 process.

LEG. CRECCA:

What is the next opportunity to amend the budget for this year? September --

MR. MUNCEY:

I don't have the exact calender date on that, but I believe there's one more opportunity to amend the budget.

CHAIRMAN LINDSAY:

Explore it.

LEG. CRECCA:

Yeah, I'll explore. If you can come in, I'll explore it. As a matter of fact, I'll get your -- I know I have it, but just so it's here, I'll get your telephone number.

CHAIRMAN LINDSAY:

Logistically though, if we were to amend the budget --

MR. MUNCEY:

It would be later in the last quarter of this year. It would be -- you might only be able to address, like, two, possibly three months out of the whole year.

LEG. CRECCA:

Actually, I just checked on the dates. It would have to be laid on the table at the September 16th meeting, but it wouldn't be eligible for a vote until November. So because we can only amend the budget four times a year, and the next time we can amend the budget would be --

CHAIRMAN LINDSAY:

But Andy, why don't you explore it for this simple reason. If it's -- if we can successfully find an offset and there is the pushing and struggling over the budget that transpired last year where there were cuts across the board, if another cut was to come along, at least it would be against a higher base. You know what I mean?

LEG. CRECCA:

If we let you know that, you know, the bill is going to be voted on in November, I don't know if that helps you with your budgetary needs for the year. In other words, if we -- if we're able to successful and get the budget amendment passed, assuming we can find a proper offset for \$13,000, if you can wait until of middle of November to know.

MS. WEINER:

It's better than nothing. Yes, for sure. I would appreciate that very, very much.

CHAIRMAN LINDSAY:

Thank you very much for coming. Holly, why don't you come forward.

5

Let the record reflect that Holly Rhodes-Teague, our Director of Office of the Aging has joined us.

MS. RHODES-TEAGUE:

The difficulty with a November -- you know, when you vote on it in November, then the contract still has to be amended, the paperwork has to be signed, so now you're talking about the middle of December. I mean, you would have to know you had expenses you can incur whether you get that money or not.

MS. WEINER:

I do understand.

MS. RHODES-TEAGUE:

I mean, that -- just so you know, because otherwise, you can't spend the money. I just wanted to be clear on that.

MS. WEINER:

This year we've been working under a handicap in general because of your new status. The County contracts weren't even executed until July. So fortunately, we have a group of what we call "Friends of RSVP," who have been able to advance us some money as we're going along. So we're going to tap them again as we need it. But, yes, if we can get that actually on the record, it certainly would help us for next year.

CHAIRMAN LINDSAY:
Thank you very much.

MS. WEINER:
Thank you very much. Hi, Holly.

MS. RHODES-TEAGUE:
Hi. I hope you've had a nice summer so far.

CHAIRMAN LINDSAY:
It hasn't been a busy committee. We haven't heard from you for a while.

MS. RHODES-TEAGUE:
No, I know. I just wanted to make a comment about the Federation. You know, I'm in support of their request for the contingency funds. The respite program, even though it's a very small program, it keeps people in their homes, independent, you know, with a caregiver. And the caregiver desperately needs those extra couple of hours that they're able to get out either to get a haircut, to go to doctors themselves. And very frequently those caregivers are elderly themselves. It's a really good program even though it's small. So I just wanted to say a few words in support of it.

CHAIRMAN LINDSAY:
You know, just, I guess speaking on behalf of the whole committee, I'm happy to see someone come forward to access that money. The money has been sitting there. And the purpose of it was just as it's designed and presented by Mr. McCarthy today; to help not-for-profits comply with the law. And unfortunately, not many of them have come forward

to access the money.

MS. RHODES-TEAGUE:
By what I was told by the Living Wage Unit, this is the first one.

CHAIRMAN LINDSAY:
Yeah, which is -- I'm not going to comment any further. What's going on with Office of the Aging?

MS. RHODES-TEAGUE:
Our picnic is next Wednesday. So if you all want to stop down at 11:30, 12 o'clock, we'd love to see you.

CHAIRMAN LINDSAY:
It is going to be as hot as last year?

MS. RHODES-TEAGUE:

I hope not. The picnic goes from 10 o'clock to three o'clock over at Southaven Park. We're expected a couple thousand seniors.

LEG. NOWICK:

It's going to be nice next week.

MS. RHODES-TEAGUE:

Oh, good. I'm glad to hear it. So we're busy with that right now. You know, we're just working to keep the programs going right now. Our caseworkers are -- we've got the two positions finally filled, two new caseworker trainees that just started. So that will be good, because we can provide more home care if we had the caseworkers in place. So we're busy.

CHAIRMAN LINDSAY:

Anyone on the committee have any questions for Holly? Thank you for coming down, Holly. Art. Art Lozeau, Director of Veterans Services.

MR. LOZEAU:

We've started a program to outreach to those soldiers that have been called up and then coming back to reach them to explain the benefits. What I'd like to do is pass this out to you all. It's the information flier that we're sending out to them. There's one for each Legislator.

CHAIRMAN LINDSAY:

Art, are we starting to develop a data base of soldiers?

MR. LOZEAU:

Yes, I am as people call in. But the Reserve Centers and Units and so forth, those go -- there's one to each Legislator. A flier and then a letter. As they call into the office, we don't have a handy access of -- the Units won't give us who they are, who's been called up and addresses and so forth. So with the flier goes -- I sent that flier hand delivered to various Reserve Centers all of fliers. As they call in, we send the information letter, which is pretty comprehensive. All the benefits that a Guard or a Reservist receives or is eligible to apply for; federal and state benefits as well as the County benefits. The one that is of most interest to many of these

Reservists and National Guardsman who have been called up is that now that they are on active duty, they are eligible for that property tax reduction, whereas, prior to any active duty, they are not. In fact, this Sunday, I go to the Amityville Reserve Center to speak to some Army Reservists. That's the many crux of where we're going now to

outreach to these people for the benefits that are due them. As far as other things, our claims procedures continue on and so forth. That's really all I have to give today.

CHAIRMAN LINDSAY:

Do you have -- just for the edification of the committee, I've been in touch with Art's office because in my district, this week is the Holbrook Fair, and they want to salute returning veterans, returning soldiers, and we've had a tremendous problem in locating them to invite them because of privacy issues. Have you had any success in locating any?

MR. LOZEAU:

The only Unit that's of any size that I've located is from the National Guard Units in the 42nd. There's about 40 odd that came back, but they were deployed to Bosnia and Kosovo. They were peace keeping. They haven't been to Operation Iraqi Freedom. You know, they have to contact me and ask for benefits to find out who they are. So to answer your question more specifically, no, I don't have a data base, and it's been very difficult for me to find out who they are.

CHAIRMAN LINDSAY:

But I think it would be a good thing if you did continue in your efforts. Even though it's too late for this event, I'm sure there will be similar events in all of our districts. It's just to send an invitation to ask people if they would like to come and be honored by the community. You know.

MR. LOZEAU:

Absolutely. The one thing I'll add on that is when it comes to -- we get this all the time, the World War II people looking for their buddy. The Privacy Act and all of that has just put a complete halt to it. Prior to that, you could call the National Guard Center, they'd forward a letter. It's very difficult, and rightly so. I mean, you don't want everybody contacting you I suppose. It is difficult from that point of view to know who they are and contact them.

CHAIRMAN LINDSAY:

Legislator Nowick, did you want to talk?

LEG. NOWICK:

No.

CHAIRMAN LINDSAY:

Okay. What else is going on anything, Art?

MR. LOZEAU:

Not really, no. The big event coming up is the Veterans Emergency Transportation, it's in November, the dinner dance. The Office of the

Minority Affairs is having on September 19th a salute to Hispanic

8

Veterans at Brentwood High School, I believe. There's an information flier out on it. The office of Public Information is distributing that, but that's in September 19th honoring Hispanic veterans. As far as the Veterans Services Agency itself, our ceremonies are held this summer and we don't really have anything further out.

CHAIRMAN LINDSAY:

Thanks, Art. Anybody on the committee have any questions for Art? Thank you. Okay.

INTRODUCTORY RESOLUTION

IR 1724. Transferring and appropriating living wage contingency funds to the Federation of Organizations for the NYS Mentally Disabled, Inc. Respite Care Program.

CHAIRMAN LINDSAY:

Turning to the agenda, 1724 is subject to a public hearing?

MR. PEARSALL:

No.

CHAIRMAN LINDSAY:

Okay. I'll make a motion to approve 1724.

LEG. CRECCA:

Second.

CHAIRMAN LINDSAY:

All in favor? Opposed? APPROVED. (VOTE: 4-0-0-0)

LEG. ALDEN:

If we could ask Budget Review, how much money was in that contingency fund? And also, once we make this appropriation, how much would be left.

MR. MUNCEY:

I have to take a look into that. I don't have that -- I don't have that exact number in front of me.

CHAIRMAN LINDSAY:

My recollection there was two and a half million dollars in the contingency fund.

MR. MUNCEY:

My understanding is it's in the millions, yes.

CHAIRMAN LINDSAY:

And this is the first bill that I've seen to try to access it.

MR. MUNCEY:

This is the first offset to that that I'm aware of.

LEG. CRECCA:

It was also approved in Ways and Means.

TABLED RESOLUTION

SENSE 27-2003. Memorializing resolution requesting Columbia University to fire Professor Nicholas De Genova.

CHAIRMAN LINDSAY:

I'm going to make a motion to table subject to call. I have a second. All in favor? Opposed. Carried.

LEG. ALDEN:

On this resolution, and actually I'm not sure if we do have any jurisdiction here or not. What this person did is pathetic as far as I'm concerned to make a call and actual call for people in the United States and other places to rise up and slaughter Americans is in my mind just -- it's totally unacceptable, it's a pathetic exercise, if you can even label it free speech. While something should happen to this person -- you have Columbia University providing this person with living in the United States, they're taking advantage of all the things that the United States provides them, the freedom -- the very freedom that allows this person to actually stand there and make this kind of a statement, despicable, deplorable, whatever kind of statement you want to label it. The very freedom that this person is using to make this statement, he wants to go and tell people to strike against the United States because we provided him with that freedom. So while maybe it's not appropriate for us to pass a resolution calling for his firing as a professor, I certainly -- on the record, I condemn this person. I'd love him to step into this room or take a little walk with anyone of us in a private setting.

CHAIRMAN LINDSAY:

Legislator Nowick.

LEG. NOWICK:

I think that we all agree with Legislator Alden. But I think we're probably right in the fact this is certainly not up to the Suffolk County Legislature, but I do agree and I think that Cameron is

absolutely right. But I'd like to see Columbia University step up to the plate and do something.

CHAIRMAN LINDSAY:

Okay. Are we in agreement with the motion table subject to call?

LEG. CRECCA:

I'm opposed to it.

CHAIRMAN LINDSAY:

You want to keep it on the agenda?

LEG. ALDEN:

Can I make a suggestion? Maybe we just -- I'd like to go on the record at a full public meeting. Whether we pass or we don't pass it, let's just move it out, let's discharge it, put it before, you know, like, the full Legislative body. Then, you know, if we decide to table it or if we decide, you know, like, just push it away, but I think there's other people on this Legislative body that might want to make a few comments. I think we should give them the opportunity. I

10

surely would like the opportunity to make that comment.

CHAIRMAN LINDSAY:

I think that I agree with Legislator Nowick's position on this. I don't think any of us condone this man's actions. I think the question is the appropriateness of jurisdiction here by the Suffolk County Legislature. I think that's the whole issue.

LEG. CRECCA:

It's a Sense Resolution basically just stating our position.

CHAIRMAN LINDSAY:

Usually Sense Resolutions are --

LEG. CRECCA:

Governmentally related.

CHAIRMAN LINDSAY:

Exactly. This is a private constitution. Okay. I have a motion to table subject to call.

LEG. ALDEN:

They do accept public money though. Columbia University accepts grants from the federal and state levels of government and actually some local grants too that go to Columbia.

CHAIRMAN LINDSAY:

Do they accept any from Suffolk County?

LEG. ALDEN:

Probably not, but I'd have to check.

CHAIRMAN LINDSAY:

Getting back to -- I have a motion, are you sticking with your second?

LEG. NOWICK:

Yes.

CHAIRMAN LINDSAY:

All in favor? Opposed?

LEG. ALDEN:

I'm opposed.

LEG. CRECCA:

Opposed.

CHAIRMAN LINDSAY:

Okay. So the motion fails.

LEG. ALDEN:

Motion to discharge without recommendation.

LEG. CRECCA:

Second.

11

CHAIRMAN LINDSAY:

I'm opposed to putting it before the full body. I'd go along with tabling. Okay.

LEG. CRECCA:

I make a motion to table.

CHAIRMAN LINDSAY:

I'll second.

LEG. CRECCA:

Withdraw my motion to table, I'll second the motion to discharge without recommendation.

CHAIRMAN LINDSAY:

Okay. We have a motion to discharge without recommendation, we have a second. All in favor? Opposed? I'm opposed. Okay. Motion carried.

DISCHARGED WITHOUT RECOMMENDATION (VOTE: 3-1-0-0) (Opposed; CHAIRMAN LINDSAY)

**Is there anybody else that would like to address the committee?
Seeing no one jumping to the microphone, motion to adjourn is in order.**

(*THE MEETING WAS ADJOURNED AT 11:05 A.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY